THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 14392 of 1997

Dated: 07.03.2007

Between:

N. Nagendra.

..... PETITIONER

AND

The Regional Manager, APSRTC, Cuddapah,
Cuddapah Dist., and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 14392 of 1997

Order:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

The petitioner claims that he has been working as N.M.R. Attender with the respondent-APSRTC since October 1995, and has completed 240 days of continuous service in a year, and therefore, he is entitled to absorption/appointment as Attender or in any other Class-IV post, but the action of the respondents-APSRTC in not absorbing/regularizing his service, is illegal and arbitrary.

Though the writ petition was admitted as long back as on 09.07.1997, no counter affidavit is filed by the respondents-APSRTC.

Be that as it may, the questions, namely whether the petitioner has been working as NMR Attender with the respondent-APSRTC or not, and if so whether he has completed 240 days of continuous service in a year and whether he is entitled to absorption/regularization of his services, are all disputed questions of fact, which cannot be gone into by this Court in exercise of its jurisdiction under Article 226 of the Constitution of India.

The writ petition is devoid of merit and the same is accordingly dismissed. However, the petitioner is at liberty to approach the appropriate forum provided under law. No costs.

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N.V. RAMANA, J.

Date: 07.03.2007
Nsr/Sj